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In re Application of  
Sweeney et al.  
Application No.: 10/566,796  
PCT No.: PCT/US04/24718  
Int. Filing Date: 30 July 2004  
Priority Date: 01 August 2003  
Attorney Docket No.: PENN0870US.NP  
For: Bowman-Birk Inhibitor Compositions For Treatment :  
Of Muscular Atrophy And Degenerative Muscle Disease :

DECISION

This is in response to the "Response to Decision" filed on 02 April 2008, which is accompanied by a declaration of the inventors.

DISCUSSION

In a Decision mailed on 31 March 2008, it was noted that

*The Decision mailed on 28 September 2007 set a period for response as follows:*

*If reconsideration on the merits of this matter is desired, a proper response must be filed within **ONE (1) MONTH** from the mail date of this decision. Extensions of time may NOT be obtained under 37 CFR 1.136(a). Failure to timely file a proper response (specifically, an acceptable oath or declaration) will result in **ABANDONMENT**.*

*This period for response is analogous to that which would have been set in a Notification of Defective Response (Form PCT/DO/EO/916). Since applicant did not file an acceptable oath or declaration in compliance with 37 CFR 1.497(a) and (b) within the period for response, this international application stands **ABANDONED** with respect to the national stage in the United States.*

In view of the fact that this international application stands **ABANDONED** with respect to the national stage in the United States, it would not be appropriate to address the merits of the newly filed declaration at this time.

DECISION

The declaration is **NOT ACCEPTED**, without prejudice.

This international application stands **ABANDONED** with respect to the national stage in the United States.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

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